Snow v. Doubleday et al Doc. 3

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHELE SNOW, Individually and On Behalf Of All Others Similarly Situated, Plaintiffs, - against - DOUBLEDAY, a division of RANDOM HOUSE, INC.; BANTAM DOUBLEDAY DELL PUBLISHING GROUP; RANDOM HOUSE, INC.; ANCHOR BOOKS, a division of RANDOM HOUSE, INC.; JAMES FREY, Defendants.	:	06 CV 00669 (RJH) (MHD)

NOTICE OF DEFENDANT'S MOTION TO STAY PROCEEDINGS PENDING A DECISION BY THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

PLEASE TAKE NOTICE that, upon the annexed Declaration of Elizabeth A. McNamara, dated February 28, 2006, the accompanying Memorandum of Law, and all other relevant papers filed in this action, defendant Random House Inc. ("Random House")[1] will move this Court before the Honorable Richard J. Holwell, United States District Court, Southern District of New York, 500 Pearl Street, New York, New York for an Order staying all proceedings in this action pending a decision by the Judicial Panel on Multidistrict Litigation, together with such other and further relief as the Court deems just and proper.

[1] In addition to defendants Random House and James Frey, the complaint purports to name as defendants "Doubleday, a division of Random House, Inc.", "Bantam Doubleday Dell Publishing Group" and "Anchor Books, a division of Random House, Inc.", none of which are separate corporate entities. Doubleday, Bantam Doubleday Dell Publishing Group and Anchor Books are divisions of Random House, Inc. Defendant Random House will move at the appropriate time to have these alleged parties dismissed from the action.

Dockets.Justia.com

PLEASE TAKE FURTHER NOTICE that any answering papers are to be served upon the undersigned in accordance with Rule 6.1 of the Local Civil Rules for the Southern and Eastern Districts of New York, or as ordered by the Court.

Dated: New York, New York
February 28, 2006

DAVIS WRIGHT TREMAINE LLP

By: [signature]

Elizabeth A. McNamara (EAM1987)
Robert D. Balin (RB 5847)
Linda Steinman (LS 5906)
1633 Broadway
New York, New York 10019
(212) 489-8230

Attorneys for Defendant
Random House, Inc.

Of counsel:

Mark B. Blocker
Michael C. Andolina
Marissa J. Reich
SIDLEY AUSTIN LLP
One South Dearborn Street
Chicago, Illinois 60603
(312) 853-7000

Stephen G. Contopulos
Jennifer A. Ratner
SIDLEY AUSTIN LLP
555 West Fifth Street
Los Angeles, California 90013
(213) 896-6000